

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.

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AUG 19 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In re Amendment of)
)
Section 73.202(b) of the) MM Docket No. 94-62
Commission's Rules to Assign) RM-8444
Channel 229 A to)
Kasilof, Alaska)

To: Acting Chief,
Allocations Branch

COMMENTS (COUNTERPROPOSAL) UPON NOTICE OF PROPOSED RULEMAKING

Christian Broadcasting, Inc. ("CBI"), by its undersigned counsel and pursuant to Sections 1.415, 1.419 and 1.420 of the Commission's rules, respectfully submits the following comments in response to the Notice of Proposed Rulemaking ("NPRM") in the above proceeding, released on June 28, 1994.

1. The NPRM proposes the assignment of Channel 229A to Kasilof, Alaska, as that community's first local aural transmission service. By way of counterproposal, however, CBI submits that a more efficient distribution of broadcast facilities would result from the allocation of Channel 229C2 to Anchorage, Alaska, since no other available channel can provide service to Anchorage. Kasilof may still receive its first aural transmission service if the Commission instead allocates Channel 233A to that city.

2. The engineering statement and accompanying exhibits submitted herewith by CBI demonstrate that Channel 233A can be allotted to Kasilof at the reference coordinates contained in paragraph 1 of the NPRM and within a reasonably sizeable area around those coordinates and yet comply with the minimum distance separation requirements of Section 73.207(b) and the minimum field

the minimum field strength coverage requirements of Section 73.315(a) of the Commission's rules.

3. This same engineering data demonstrate that Channel 229C2 can be allocated to Anchorage, so long as the site is restricted to 18 kilometers south southeast of the reference coordinates for Anchorage. Such an allocation would likewise comply with the separation and coverage requirements referred to in the foregoing paragraph.

4. The counterproposal herein advanced by CBI would better serve the requirements of Section 307(b) (to provide a "fair, efficient and equitable distribution of radio service") than the allocation suggested in the NPRM because it would permit the creation of two new broadcast services rather than only one. See also, Revision of FM Assignment Policies and Procedures, BC Docket 80-130, 90 FCC 2d 88 (1982).

5. The foregoing will require amendments to Section 202(b) of the Commission's Rules, FM Table of Assignments, as follows:

<u>Location</u>	<u>Add</u>	<u>Delete</u>
Anchorage, Alaska	229C2	None
Kasilof, Alaska	233A	None

6. If the requested allocation is granted, CBI will apply for a construction permit to construct and operate a full-service Class C2 FM station at Anchorage, Alaska on Channel 229.

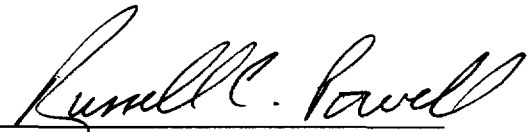
7. The community of Anchorage is a census designated city with a population of nearly 200,000 and is already listed in the FM Table of Allotments at Section 73.202 of the Commission's rules.

Anchorage is clearly a licensable community.

WHEREFORE, CBI requests that Section 73.202 of the Commission's rules be amended to assign Channel 229C2 to Anchorage, Alaska and Channel 233A to Kasilof, Alaska.

Respectfully submitted,

CHRISTIAN BROADCASTING, INC.

By: 

Russell C. Powell
Its Attorney

Taylor Thiemann & Aitken
908 King Street
Suite 300
Alexandria, Virginia 22314

August 19, 1994

Certificate of Service

I hereby certify that a copy of the foregoing Comments was served via First Class Mail, postage prepaid, upon the following person this 19th day of August, 1994:

Benjamin Perez, Esq.
Abacus Communications Company
1801 Columbia Road, N.W.
Suite 101
Washington, D.C. 20009-2031



EXHIBIT A

ENGINEERING STATEMENT

The engineering data contained herein have been prepared on behalf of CHRISTIAN BROADCASTING, INC., in support of its counterproposal to the Petition for Rulemaking filed under MM Docket No. 94-92 to amend the Table of FM Allotments by adding Channel 229A to Kasilof, Alaska. It is proposed herein to allot Channel 233A to Kasilof, instead, and allot Channel 229C2 to Anchorage, Alaska.

Channel 233A can be allotted to Kasilof as its first local FM service. Exhibit B is a computer allocation study for this channel based upon the reference coordinates for Kasilof (60° 20' 15", 151° 16' 20"). Clearly, there is ample area within which a suitable transmitter site could be located to meet the FCC's spacing requirements to pertinent co- and adjacent-channel stations, as well as to provide the requisite 70 dBμ service over the entirety of Kasilof.

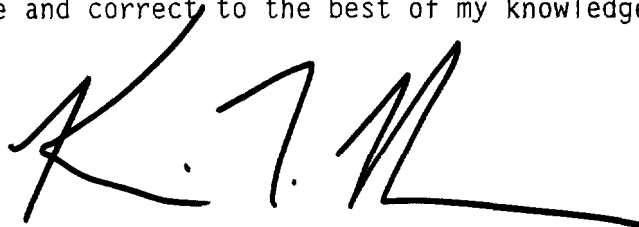
Channel 229C2 can be allocated to Anchorage, Alaska, in full compliance with the FCC's spacing Rules, as long as the transmitter site is 18 kilometers south-southeast of the Anchorage reference coordinates. Sufficient area is available for the selection of a site from which the new facility would comply with the FCC's separation requirements to pertinent co- and adjacent-channel stations, as well as comply with the Commission's community-of-license coverage requirements.

Attached as Exhibit C is a computer printout showing the required

EXHIBIT A

spacings to pertinent facilities, based upon an assumed Anchorage site at 61° 04' 02", 149° 44' 36". These coordinates define the site of KATB(FM). As shown, from this site the spacing requirements to all pertinent facilities are met or exceeded. In addition, the FCC's community-of-license coverage requirements would be met from this site.

I declare under penalty of perjury that the foregoing statements and the attached exhibits are true and correct to the best of my knowledge and belief.

A handwritten signature in black ink, appearing to read 'K. T. Fisher', with a long horizontal stroke extending to the right.

KEVIN T. FISHER

August 9, 1994

EXHIBIT B

SMITH and POWSTENKO
Broadcast Consultants

August 9, 1994

FM Spacing study

Title: KASILOF, ALASKA
Channel 233A (94.5 MHz)
Database: DW 07/29/94

Latitude: 60-20-15
Longitude: 151-16-20
Safety zone: 20 km

Call	Auth	Licensee name	Chan	ERP-kW	Latitude	Br-to	Dist.	Req.
City of License	St	FCC File no.	Freq	EAH-m	Longitude	-from	(km)	(km)
CFAT2	LIC		230A	0	59-35-40	87.2	984.0	54
ATLIN	BC		93.9		133-43-09	282.4	930.0	CLEAR
ALLOC			231B		55-29-20	91.4	1998	84
GRANDE PRAIRIE	AB		94.1		118-48-50	299.2	1914	CLEAR
KADX	CP	AMERICAN RADIO BROKERS	232A	6	61-34-05	30.8	160.8	72
HOUSTON		AK BPH-921026MB	94.3	80	149-43-21	212.1	88.80	CLEAR
CP Granted 06/03/93 per FCC release #21654 dated 06/09/93; Call Granted 07/23/93 per FCC release #210 dated 07/23/93								
ALLOC			233B		55-32-26	88.9	2149	223
HIGH PRAIRIE	AB		94.5		116-07-26	299.0	1926	CLEAR
ALLOC			234A		50-03-15	113.5	2010	113
CAMPBELL RIVER	BC		94.7		125-19-30	315.0	1897	CLEAR
NEW	APP		235A	.17	53-52-15	104.2	1692	62
TATALROSE	BC		94.9	294	126-00-35	305.5	1630	CLEAR
ALLOC			236B		55-46-00	91.9	1902	71
DAWSON CREEK	BC		95.1		120-14-00	298.5	1831	CLEAR
KTKU	LIC	JUNEAU BROADCASTERS COMP	286C2	3.84	58-19-47	95.9	982.1	15
JUNEAU		AK BLH-840719CR	105.1	-322	134-28-17	290.3	967.1	CLEAR
Affiliated with KJNO(AM)								
KNIK-FM	LIC	NORTHERN TELEVISION INC	287C1	50.5	61-11-33	37.5	121.1	22
ANCHORAGE		AK BLH-900507KF	105.3	78	149-54-01	218.7	99.11	CLEAR
License Granted 09/04/91 per FCC release #21204 dated 09/11/91; Ant: Cetec JSC P-6; Affiliated with KBYR(AM)								

>> End of channel 233A study <<

SMITH and POWSTENKO
Broadcast Consultants

EXHIBIT C

August 9, 1994

FM Spacing study

Title: ANCHORAGE, ALASKA
Channel 229C2 (93.7 MHz)
Database: DW 07/29/94

Latitude: 61-04-02
Longitude: 149-44-36
Safety zone: 20 km

Call	Auth Licensee name	Chan ERP-kW	Latitude	Br-to	Dist.	Req.
City of License	St FCC File no.	Freq EAH-m.	Longitude	-from	(km)	(km)
ALLOC		226B	53-55-00	104.3	1804	74
PRINCE GEORGE	BC	93.1	122-45-00	307.3	1730	CLEAR
ALLOC		227A	55-01-48	110.6	1368	76
GREENVILLE	BC	93.3	129-34-46	307.8	1292	CLEAR
ALLOC		228A	64-02-12	30.1	390.0	106
DELTA JUNCTION	AK	93.5	145-44-00	213.7	284.0	CLEAR
ALLOC REOPENS PER CP CANCELLATION; COORDINATES ASSUMED						
CBUF7 LIC		229A .07	55-47-08	95.8	1823	206
DAWSON CREEK	BC	93.7 88	120-12-22	301.1	1617	CLEAR
CFAT2 LIC		230A 0	59-35-40	93.5	900.3	132
ATLIN	BC	93.9	133-43-09	287.4	768.3	CLEAR
ALLOC		231B	55-29-20	95.2	1918	94
GRANDE PRAIRIE	AB	94.1	118-48-50	301.8	1824	CLEAR
KADX CP	AMERICAN RADIO BROKERS	232A 6	61-34-05	1.1	55.82	55
HOUSTON	AK BPH-921026MB	94.3 80	149-43-21	181.1	.823	CLOSE
CP Granted 06/03/93 per FCC release #21654 dated 06/09/93; Call Granted 07/23/93 per FCC release #210 dated 07/23/93						
KTOO LIC	CAPITAL COMMUNITY BCG IN	*282A 1.40	58-18-04	102.9	916.4	15
JUNEAU	AK BLED-781013AE	104.3 -317	134-25-21	296.2	901.4	CLEAR
ALLOC		283A	50-33-40	121.1	1802	16
HOLBERG	BC	104.5	127-53-15	319.3	1786	CLEAR

>> End of channel 229C2 study <<